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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA, SOUTHERN DIVISION

ARTIS-RAY CASH JR.,
Plaintiff,
vs.
EXPERIAN INFORMATION
SOLUTIONS, INC., MONTEREY
FINANCIAL SERVICES, LLC,
Defendants.

Case No. 8:25-cv-00165-JWH (ADSx)
**[PROPOSED] ORDER DISMISSING
PLAINTIFF'S COMPLAINT WITH
PREJUDICE**
Date: May 9, 2025
Time: 9:00 a.m.
Judge: Hon. John W. Holcomb
Courtroom: 9D

1 The Motion of defendant Monterey Financial Services, LLC (“Monterey”) to
2 dismiss plaintiff Artis-Ray Cash Jr.’s Complaint came on regularly for hearing on
3 May 9, 2025 at 9:00 a.m. in Courtroom 9D in the United States District Court for
4 the Central District of California, the Honorable John W. Holcomb, presiding.
5 Plaintiff appeared *in propria persona*. Defendants were represented by their
6 respective counsel.

7 The Court, having considered the evidence, all the papers filed in support of
8 and in opposition to the motion, the pleadings, records and files in this action, those
9 matters of which the Court may take judicial notice, and oral argument, hereby
10 GRANTS the motion.

11 Plaintiff is proceeding *in propria persona* and *in forma pauperis* in this civil
12 action alleging claims under the Fair Credit Reporting Act (15 U.S.C. § 1681 *et*
13 *seq.*), the California Consumer Credit Reporting Agencies Act (Cal. Civil Code
14 § 1785.25(A)), the Fair Debt Collection Practices Act (15 U.S.C. § 1692 *et seq.*), the
15 Rosenthal Fair Debt Collection Practices Act (Cal. Civil Code § 1788 *et seq.*), and
16 the California Unfair Competition Law (Cal. Bus. & Prof. Code § 17200 *et seq.*).
17 Pursuant to 28 U.S.C. § 1915(a), a person may request to proceed *in forma pauperis*
18 by submitting an affidavit attesting to all of their assets and a statement that they
19 cannot pay the filing fee. However, “[t]o proceed in forma pauperis is a privilege
20 not a right.” *Smart v. Heinze*, 347 F.2d 114, 116 (9th Cir. 1965). The *in forma*
21 *pauperis* statute requires dismissal of a case if “at any time if the court determines
22 that . . . the allegation of poverty is untrue . . .” 28 U.S.C. § 1915(e)(2)(A).

23 The evidence submitted by Monterey in support of the motion demonstrates
24 that Plaintiff’s allegation of poverty in his Request to Proceed *In Forma Pauperis* is
25 untrue. Plaintiff – a serial litigant who has filed 21 actions in this Court apart from
26 this action, including more than a dozen in the past six months – failed to disclose
27 four recent settlements on his Request to Proceed *In Forma Pauperis*. Plaintiff’s
28

1 concealment of these settlements constitutes bad faith and an abuse of the *in forma*
2 *pauperis* privilege. Pursuant to 28 U.S.C. § 1915(e)(2)(A), the appropriate remedy
3 is dismissal of Plaintiff's Complaint with prejudice.

4 THEREFORE, **IT IS HEREBY ORDERED** that:

5 1. Monterey's Motion to Dismiss Plaintiff's Complaint is GRANTED;
6 and

7 2. Plaintiff's Complaint is DISMISSED WITH PREJUDICE.

8 DATED: _____, 2025

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10 _____
11 JOHN W. HOLCOMB
12 United States District Judge
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CERTIFICATE OF SERVICE

I, Berj K. Parseghian, declare as follows:

I am a resident of the State of New York, over the age of eighteen years, and not a party to the within action. My business address is 420 Lexington Avenue, Suite 2005, New York, New York 10170.

On April 7, 2025, I served the within [PROPOSED] ORDER DISMISSING PLAINTIFF'S COMPLAINT WITH PREJUDICE by enclosing a true copy in a sealed envelope addressed to the following non-CM/ECF participant(s):

Artis-Ray: Cash, Jr.
453 South Spring Street
Suite 400 PMB 1211
Los Angeles, CA 90013

and depositing the envelope in the United States mail at New York, New York with postage thereon fully prepaid.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on April 7, 2025 at New York, New York.

/s/ Berj K. Parseghian
Berj K. Parseghian